

## ZONING CODE REWRITE

### *Modules 2 and 3 Discussion*

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August 8, 2013

# PRESENTATION AGENDA

1. **Responses to Task Force and Stakeholder Comments on Module 2: Summary of Policy Questions**
2. **City Staff Briefing on Technical Issues**
3. **Task Force Discussion**
4. **Module 3 Highlights and Policy Question**
5. **Task Force Discussion**



# **Module 2 Responses to Task Force and Stakeholder Comments**



# Major Questions and Responses

- **How does this module streamline the process?**
  - *Streamlining is provided through delegation of Authority from Council to P&Z and to staff, clear standards and criteria for decision-making, and timelines for review and approval of project applications*
  - *Task Force & stakeholder comments will guide revisions and help us make it even more streamlined and predictable*
- **Should there be a “Zoning Permit” or Zoning Clearance?**
  - *Counter-level clearance makes sense as applicants then will know whether permitted uses, as designated for a specific site, meet the standards of the Code before having to invest in detailed construction documents for a building permit*
  - *Used in peer communities; good for record-keeping*

# Major Questions and Responses

- **Should term limits be set?**
  - *This is a policy call for the Task Force and ultimately the City Council.*
  - *Term limits are not essential but often are used to promote broader involvement in local government*
- **Should the Heritage District Advisory Committee be included in this Code as a “standing committee” or deferred for later action**
  - *It may make sense to let the Council take this up separately in the same way that they could, at a future date, create Village Planning Committees.*

# Major Questions and Responses

- **How should housing diversity be provided?**

- *Flexibility can be provided in applying the 10%/20% rule for variable lot size and related provisions can be available for larger projects*
- *The Code should not mandate a lifestyle or dictate controls that would affect the real estate market , but it can enable opportunities for a diversity of lots and housing types, particularly in major development*

- **Should there be a Notice of Pending Action?**

- *With easy electronic notification options, this proposal is consistent with the concept of open government.*
- *It is not another layer of regulation or more red tape, and the City may benefit from an informed citizenry and confidence in the zoning process*

# Major Questions and Responses

- **Should the development review permit process be maintained?**
  - *This is currently done, and City staff would prefer to have it continue*
  - *It's a way to ensure good design ideas are carried through to construction documents – a goal of the city*
  - *It would be integrated with other approvals and not extend the timeline.*
- **Should the final authority on appeals be given to the Board of Adjustment?**
  - *This proposal is consistent with the streamlining concept, with only one appeal step before an applicant would go to court*
  - *It is done in peer communities, such as Tempe, by way of example*



# **City Staff Responses to Technical Issues and Questions**

**Discussion**





# Module 3 Highlights

# Topics Covered

- **General Site Regulations**
- **Supplemental Design Guidelines**
- **Green Building Incentive Program**
- **Adequate Public Facilities**
- **Voluntary Affordable Housing Density Bonus Program**
- **Landscaping, Lighting and Performance Standards**
- **Nonconforming Uses and Structures**
- **Parking and Loading**
- **Signs (Minor Amendments)**
- **Telecommunications (No changes proposed)**



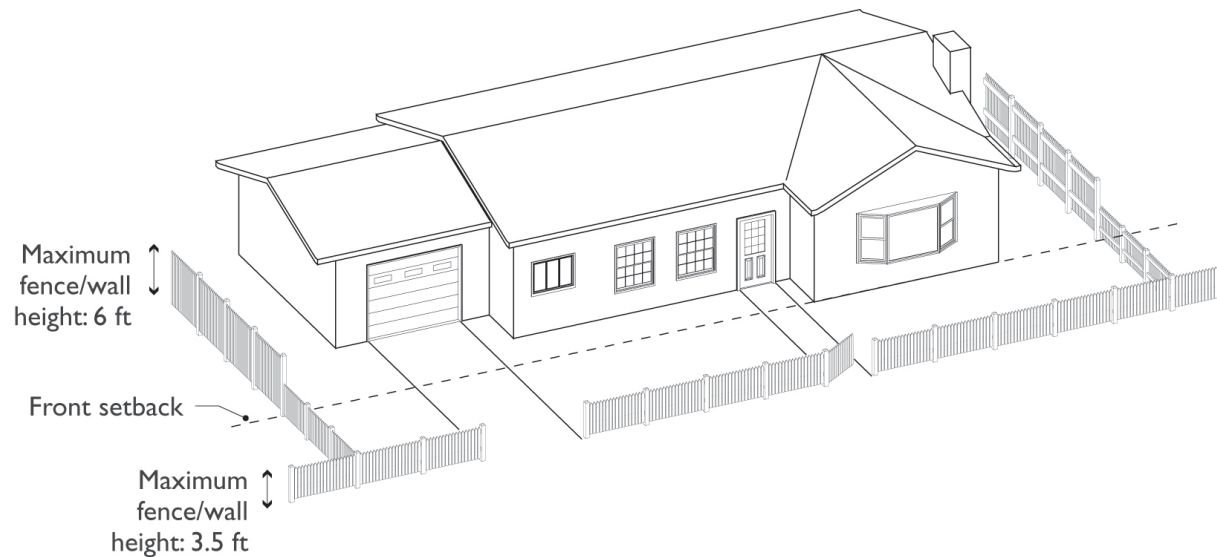
# General Site Regulations

- **Accessory Structures and Animal Keeping**
- **Building Projections into Yards**
- **Construction Material and Waste Management Plan**
- **Development on Lots Divided by Zones & on Substandard Lots**
- **Exceptions to Height Limits**
- **Fences and Freestanding Walls**
- **Outdoor Storage and Screening**
- **Swimming Pools and Spas**
- **Truck Docks, Loading, and Service Areas**
- **Underground Utilities**
- **Visibility at Intersections and Driveways**



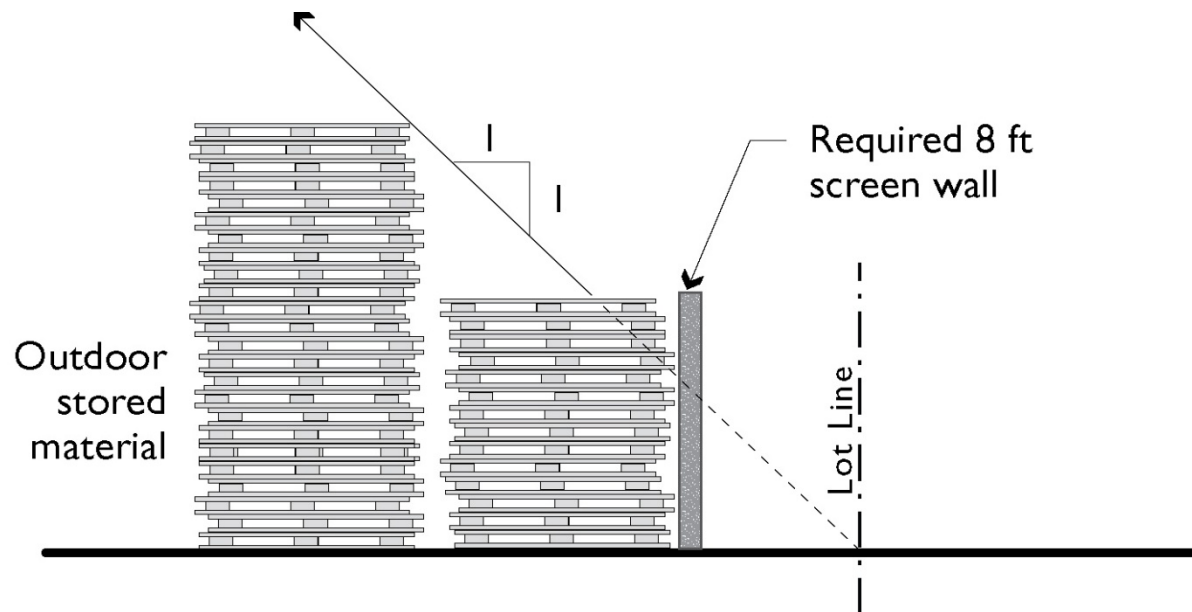
# Fences and Freestanding Walls

## ■ Fig 401.09 E



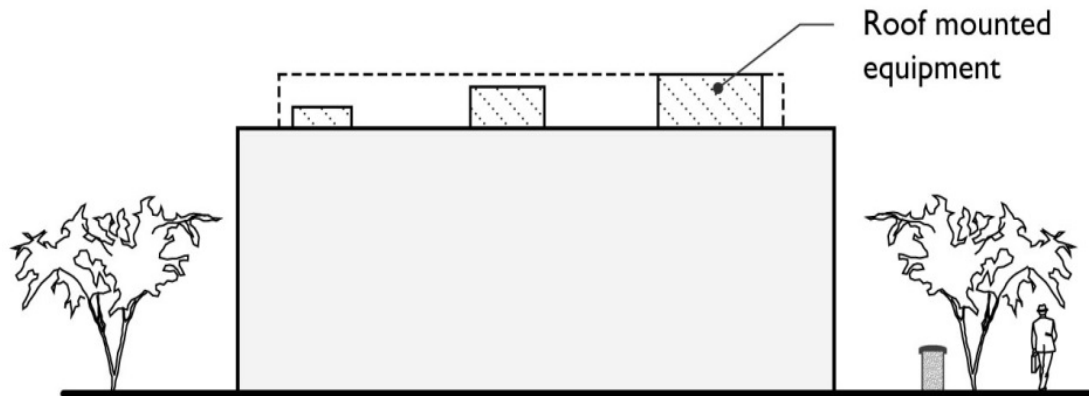
# Outdoor Storage

- **Figure 401.10(B): Outdoor Stored Material**



# Screening

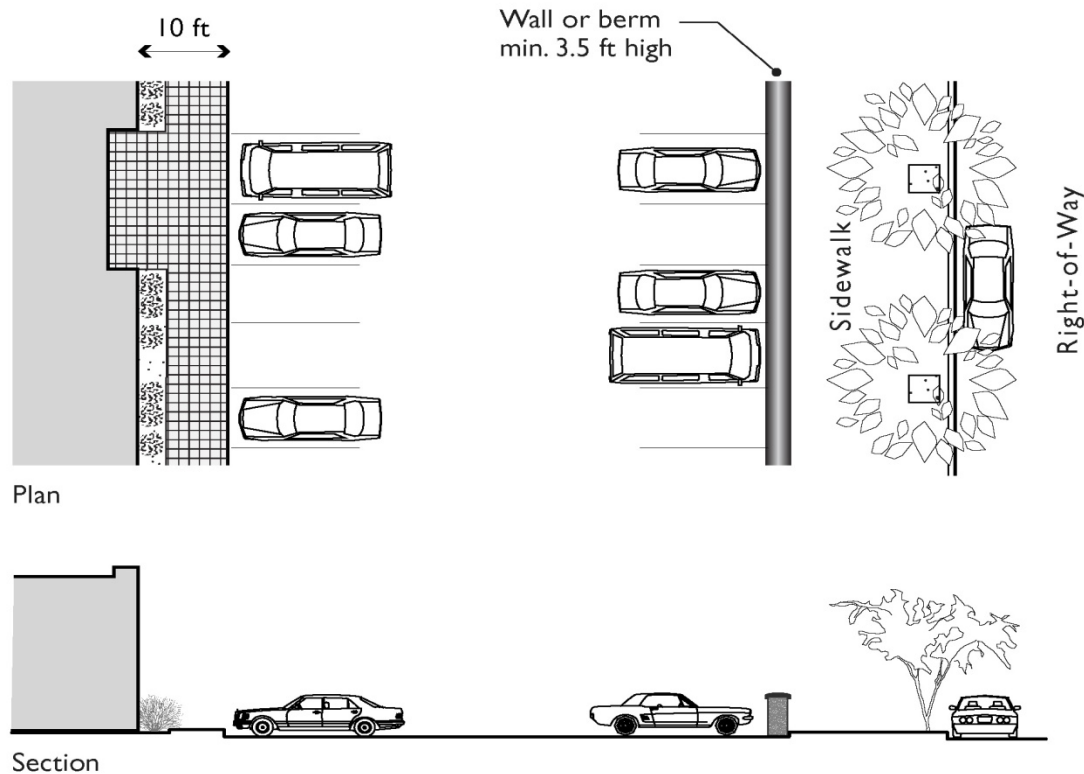
- **Figure 401.11.A(1): Screening of Roof-Mounted Equipment**



Roof mounted equipment screening shall be an encompassing monolithic unit and shall be the same height as the equipment.

# Screening

- Figure 401.11.H: Screening and Separation of Parking Area



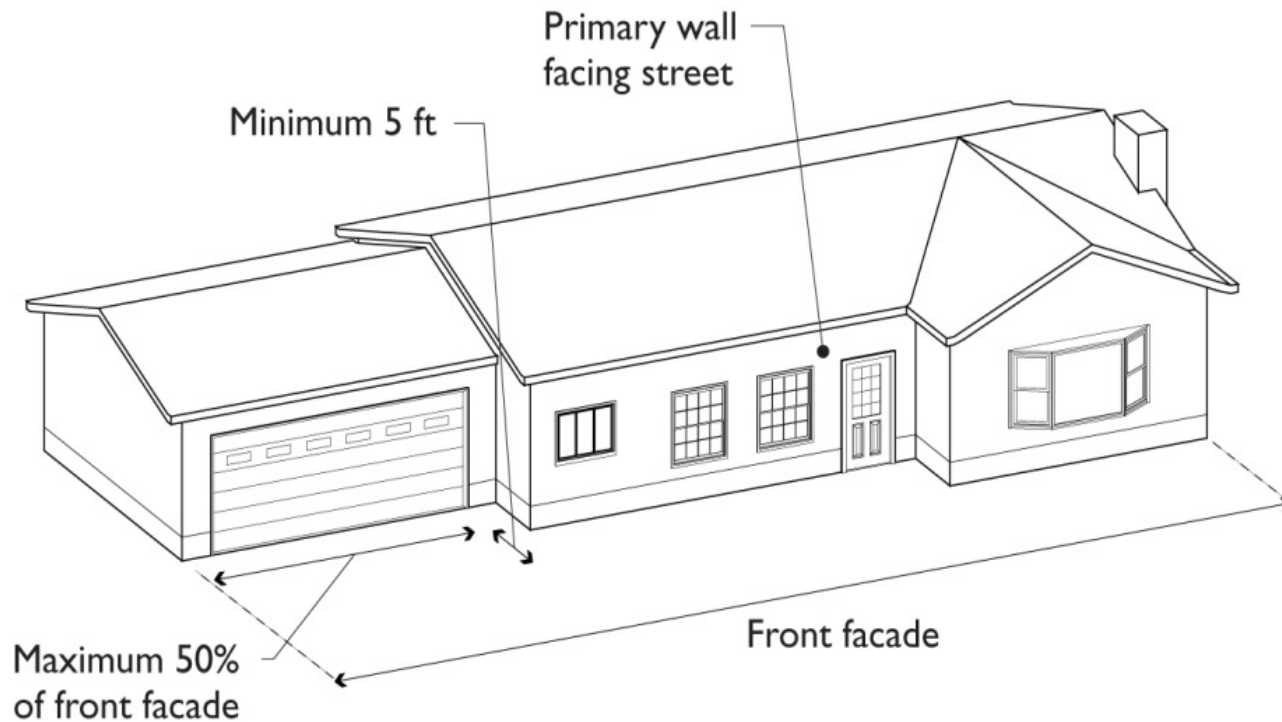
# Design Guidelines

- **Residential Design Guidelines**
- **Commercial and Mixed Use Design Guidelines**
- **Shading and Sidewalks**



# Residential Design Guidelines

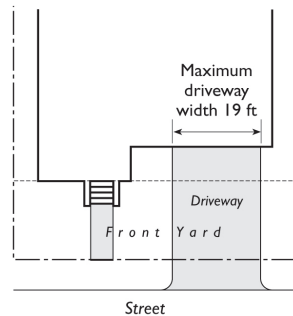
- **Figure 402.01.B.1: Garage Frontage and Location**



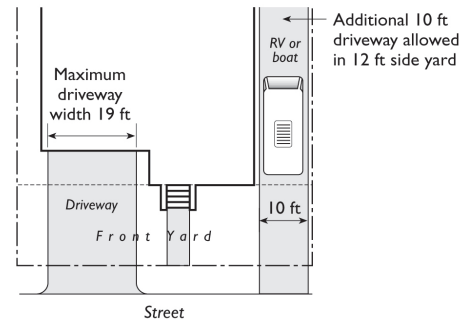
# Residential Guidelines

## ■ Figure 402.01.C: Parking and Garage Frontage Limitation

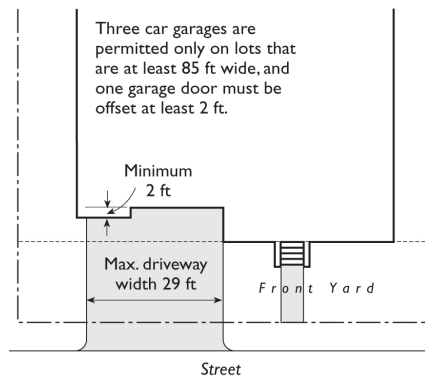
Lots < 85 ft wide



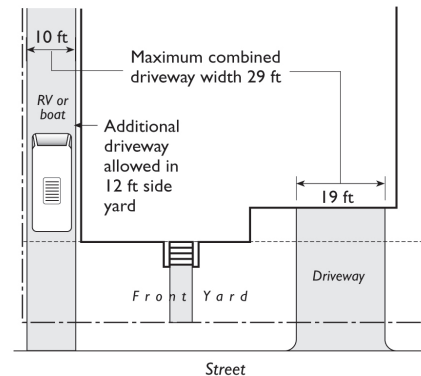
Lots < 85 ft wide



Lots > 85 ft wide

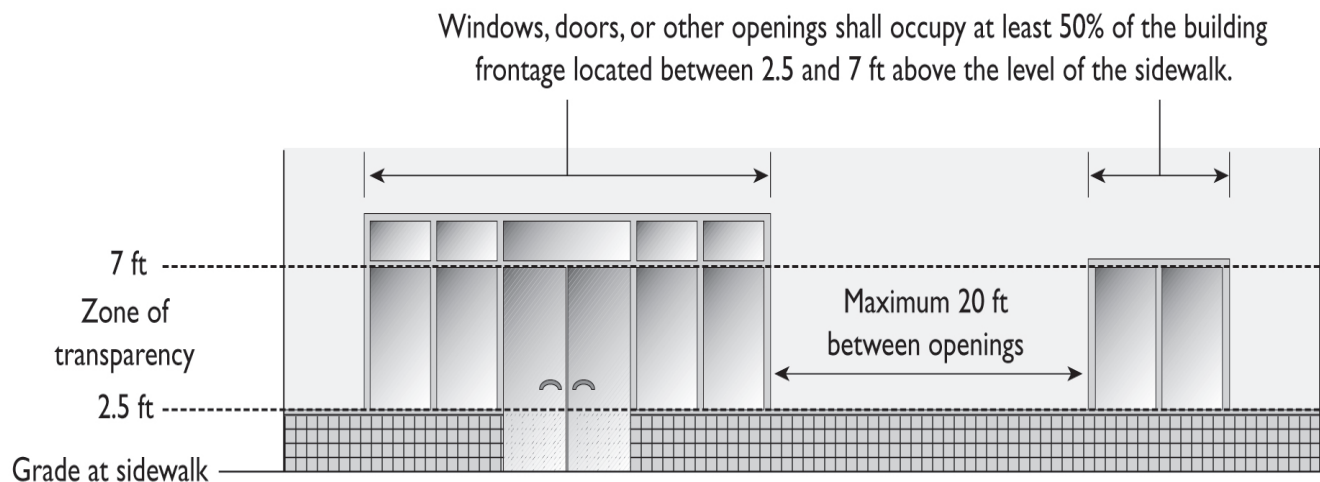


Lots > 85 ft wide



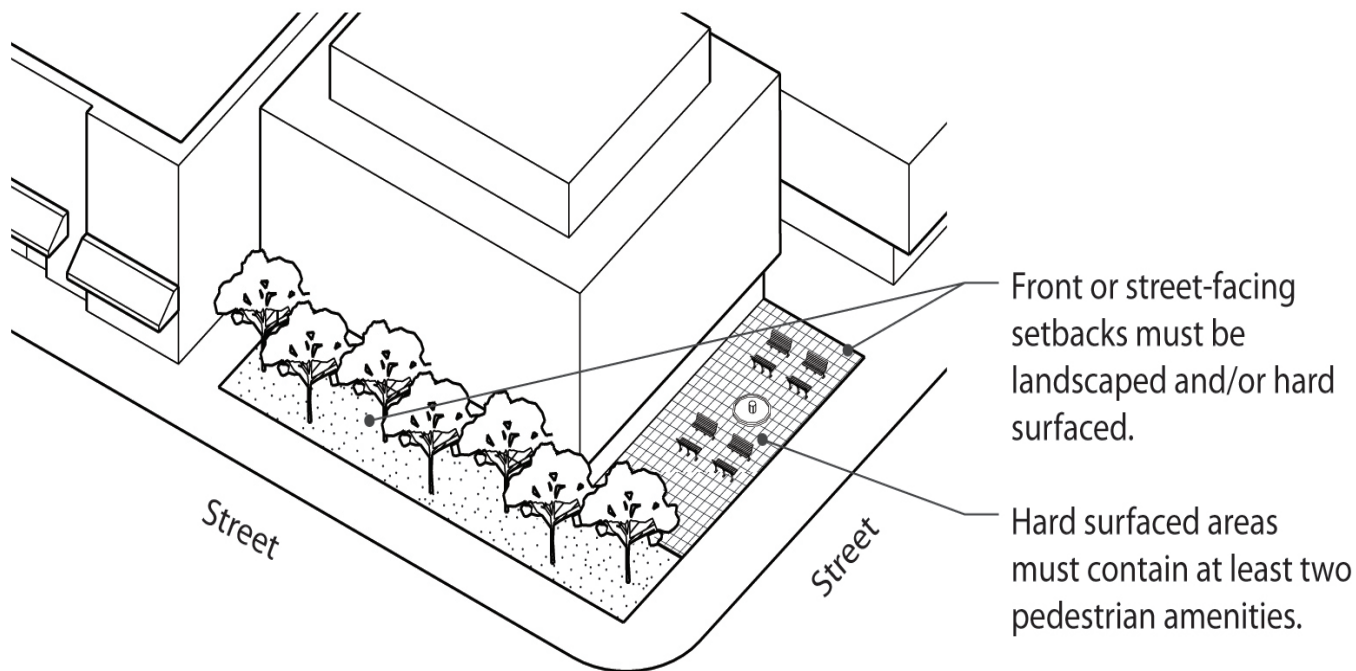
# Commercial and Mixed Use Guidelines

## ■ Figure 402.02.B.3: Building Transparency



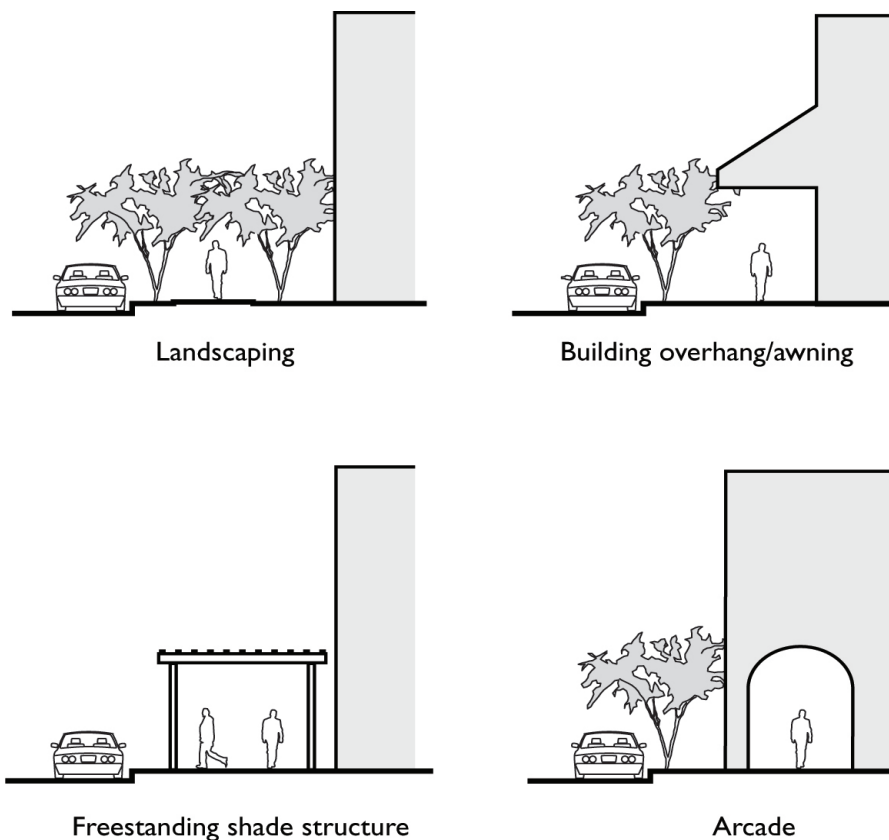
# Commercial and Mixed Use Guidelines

## ■ Figure 402.01.C: Street-Facing Setbacks



# Commercial and Mixed Use Guidelines

- **Figure 402.03: Shading of Sidewalks**



# Green Building Program

- **Basic Approach; Details Adopted later by City Council**
  - *Focus on “Covered Projects” which will be identified later (e.g. large public projects, office buildings, apartments)*
  - *Voluntary for other projects*
- **Standards for Compliance**
  - *Flexibility in “third party” certification*
- **Incentives for Compliance**
  - *Processing and reduced fees, for example*
- **Development Bonuses (Optional Program)**
  - *Increased density or square footage*
- **Administrative Procedures**
- **Hardship or Infeasibility Exemption**



# Green Building Features for Bonus Density

- Incentives to go beyond minimum requirements
- Sustainable Design (LEED or equivalent)
- Alternative Energy
- Energy Efficiency
- Landscape Irrigation
- Transportation Connections and Alternative Modes
  - *Walkways and Bike Paths*
  - *Preferred Vehicle Parking: Vanpools and Electric Charging Stations*
- Heat Island Mitigation
  - *Site Hardscape and Roof Coverings*

# Adequate Public Facilities

- **Determination of Adequate Public Facilities**
  - *“Will serve” letters from outside providers*
  - *Seek assurance that facilities will be in place when housing is occupied*
  - *Programs for single owners or multiple owners*
- **Types of Critical Facilities to be Evaluated**
  - *Roads*
  - *Water Supply*
  - *Sewer Treatment Capacity*
  - *Schools – classroom space in attendance area(s)*





# Affordable Housing Density Bonus Program

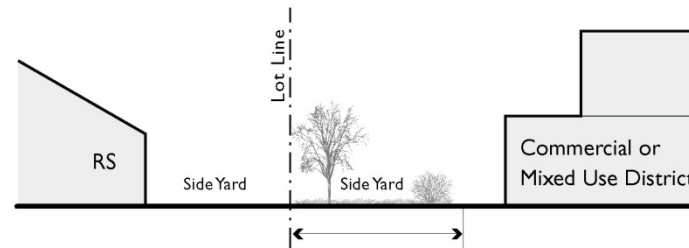
- **Voluntary Program**
- **General Requirements to Participate**
- **Below Market Rate Housing – Bonus Incentives**
  - *20% if 10% of units for Low Income*
  - *5% if 10% for Moderate Income*
- **Compliance Procedures**
  - *Development Agreement required*

# Landscaping

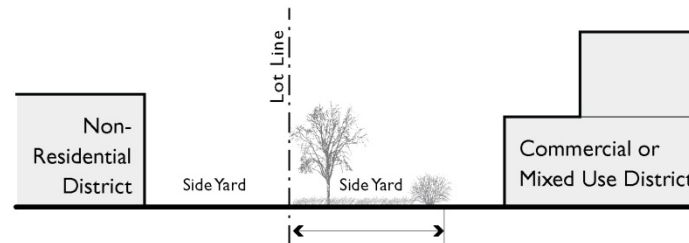
- **Applicability and Exemptions**
  - *Single family homes on existing lots*
- **General Requirements**
  - *Trees, shrubs, ground cover and irrigation*
- **Perimeter Landscaping**
  - *Minimum number of plants per lineal feet of frontage*
- **Parking Lot Landscaping**
  - *Landscape islands and medians ; minimum number of plants*
- **Alternative Compliance**
  - *To encourage innovative design and water efficiency*

# Perimeter Landscaping

- **Figure 406.04.C: Landscaping of Interior Setbacks**



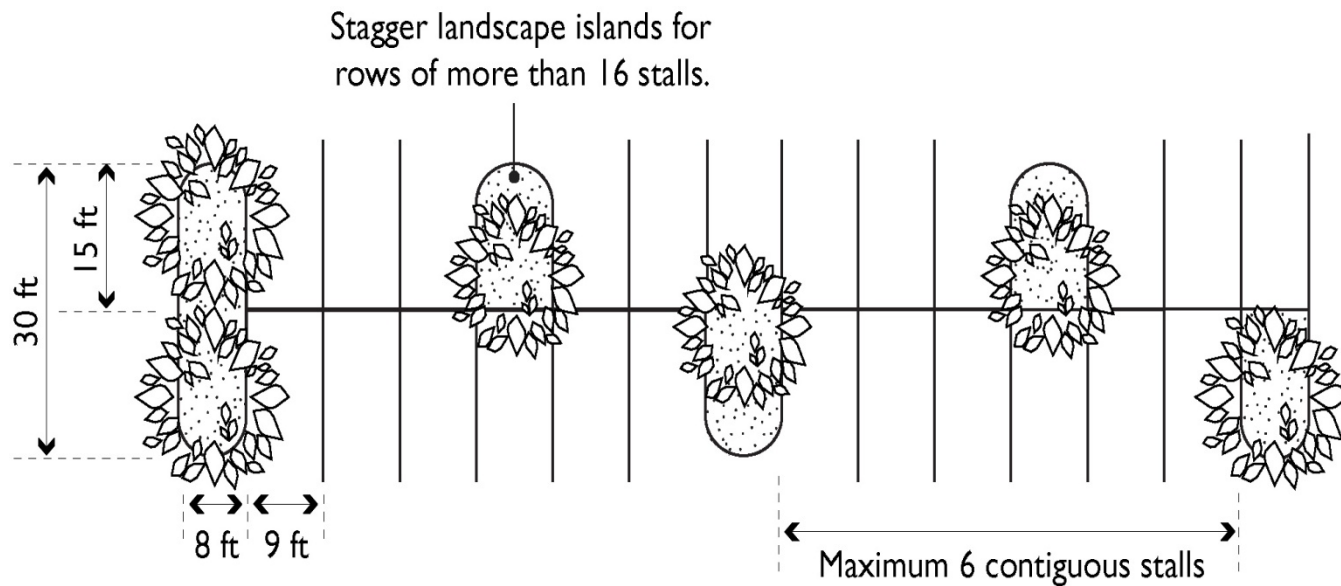
Min. 20 ft on lots less than 2.5 acres and min. 25 ft on lots 2.5 acres or more must be landscaped and free from parking or encroachments.



Min. 15 ft of setback must be landscaped and free from parking or encroachments.

# Parking Lot Landscaping

## ■ Figure 406.05.B.4: Landscape Islands



# Lighting

- **General Requirements**

- *No direct light on adjacent properties*
- *All light fixtures to be fully or partially shielded*
- *Lighting to be timer-controlled*

- **Prohibitions**

- *Searchlights*
- *Late night lighting*
- *Unshielded illumination of buildings, signs or landscaping*

- **Exemptions**

- *Temporary exemption permit can be approved*

# Nonconforming Uses and Structures

- **Establishment of Lawful Nonconformance**
- **Nonconforming Uses**
  - *Classes to be defined*
  - *No expansion of problematic uses (e.g. storage of hazardous materials or uses causing impacts on neighbors)*
- **Nonconforming Structures**
  - *Right to continue*
  - *Rules of expansion or alteration*
  - *Restoration of damaged structures*
- **Formal Amortization Program Not Recommended**



# On-Site Parking and Loading

- **General Regulations and Standards**
- **Required Parking Spaces**
- **Parking Area Design**
- **Parking Reductions**
- **Bicycle and Motorcycle Parking**

# Performance Standards

- **General Standards Established**
- **Rules for Determining Compliance**
- **Noise**
- **Vibration**
- **Odors**
- **Heat and Humidity**
- **Fire and Explosive Hazards**



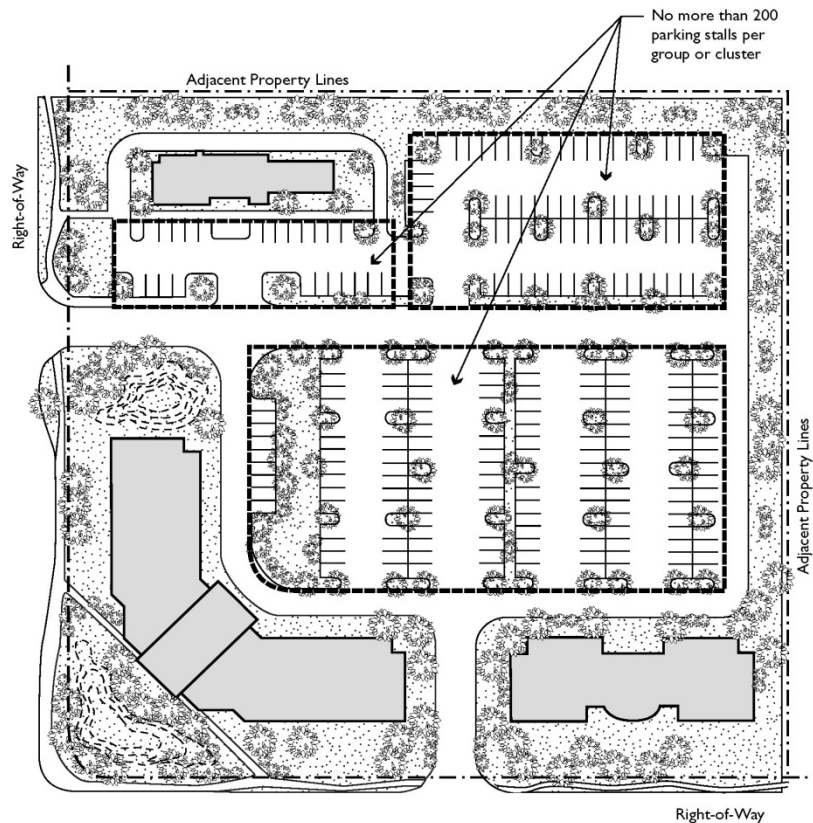
# Parking and Loading

- **General Requirements; Dimensional Standards**
- **Number of Spaces Based on Demand by Use Type**
  - *Maximum number: 10% above average demand, but exceptions may be granted*
- **Parking Area Design**
  - *Including pedestrian access*
- **Parking Reductions Allowed**
- **Provisions for Alternative Compliance**
  - *Off-site parking, Valet Parking, Uses with Special Needs*
- **Bicycle and Motorcycle Parking**



# Parking Lot Layout

- **Figure 410.06.H.2.E: Parking Lot Layout**



# *Amendments for Portable (A-frame) Signs*

- **Maximum Number: One**
- **Placement: On-site only, on private property**
- **Prohibited Locations: Not within 20 ft. of another sign or in a pedestrian clear zone or driveway visibility zone**
- **Hours for Display: When Businesses are Open**
- **Maximum Size: 5 Sq. Ft.**
- **Maximum Height: 3 Ft.**
- **Permit Required**
- **City will have Authority to Remove Unauthorized Signs**

# Telecommunications Facilities

- **Technical amendments may be proposed in response to new Federal Law**
- **No substantive changes envisioned as ordinance was recently adopted by the City**

# Policy Questions

- **Design Guidelines**
  - *Is additional design guidance needed?*
- **Green Building Program**
  - *Should proposed approach be included in the Code Rewrite with “covered” projects and a voluntary incentive program?*
  - *Program could be deferred until the City adopts the International Green Building Code.*
  - *Should ng Program have mandatory requirements for Council-defined “covered projects” as well as development incentives which would be available for any qualifying development?*
- **Adequate Public Facilities**
  - *Should procedures and criteria for determining adequate public facilities be included in the Code Rewrite?*
  - *If so, do the proposed regulations strike the right balance, and allow for needed flexibility?*

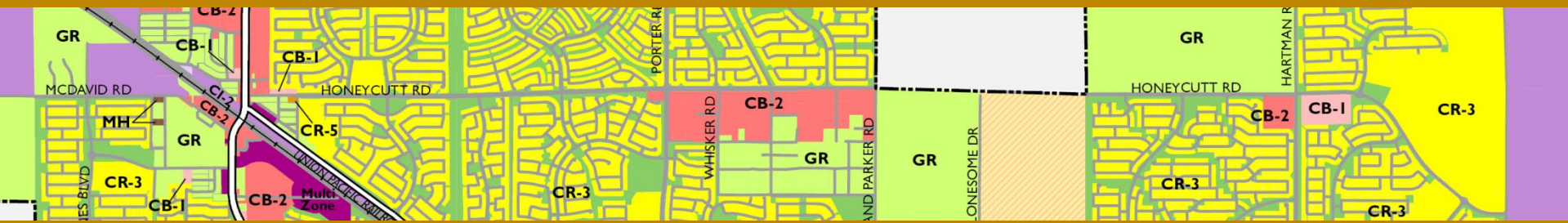


# Policy Questions

- **Affordable Housing Density Bonus Program**
  - *Are the proposed regulations appropriate, and the incentives sufficient, to encourage participation by developers who may be interested in providing affordable housing?*
- **Landscaping**
  - *Is the right mix of tree, shrub and ground-cover established?*
  - *Should flexibility in design be available through an Alternative Landscape Plan?*
  - *Should single-family lots be required to have landscape in visible yards?*

# Policy Questions (continued)

- **Lighting**
  - *Are additional standards needed for the lighting regulations?*
- **Off-street Parking**
  - *Are the proposed standards and design requirements appropriate for Maricopa?*
- **Performance Standards**
  - *Are additional performance standards needed?*
- **Amendment to Existing Sign Regulations**
  - *Should the Code Rewrite include A-frame controls?*
  - *Should Comprehensive Sign Plans be administratively approved? (Now by P&Z)*



## ZONING CODE REWRITE